



KENTUCKY BOARD OF EDUCATION

DECEMBER BOARD NOTES

Volume 20, No. 6 -- Report of the December 5, 2012, Regular Meeting

COMMENTS FROM DAVID KAREM, KENTUCKY BOARD OF EDUCATION CHAIR

At the December 5 Kentucky Board of Education meeting, the board heard an overview of the recent test score release along with a summary of data issues. It was affirmed to the board that the system worked as envisioned with a few data issues that will need to be watched in the future.



Advice from the National Technical Panel on Assessment and Accountability, our testing experts, is that we make no changes to the system before data history is established, meaning that we need more data to indicate whether changes are truly merited. I assure you that the board will be reassessing any potential issues associated with the system in the fall of 2013 when we have two years of data. However, we agree with the testing experts for now that it is too early to jump to conclusions and make changes.

The board congratulates those districts and schools that scored Distinguished and Proficient. Please express our appreciation to your staff, students and community for their hard work.

For those that scored Needs Improvement, we encourage you to analyze your data and use the delivery planning process to map out the strategies for moving forward to become “Progressing” or higher next year. The system is about continuous improvement and we must all keep our focus on college and career readiness for all of our students.

BOARD PASSES 2013 LEGISLATIVE AGENDA

The Kentucky Board of Education (KBE) approved its 2013 legislative agenda at the December meeting. The items on the agenda are as follows:

- **Professional Growth and Effectiveness**

Amend KRS 156.557 to update statutory language to reflect the changes to the teacher effectiveness system.

Under direction of the Kentucky Board of Education's (KBE's) Strategic Plan, the Kentucky Department of Education (KDE) has undertaken a two-year study and task force to update the current statewide personnel evaluation system. Providing teachers, administrators and districts the tools needed to support and improve performance, KDE plans to implement the Professional Growth and Effectiveness System (PGES). PGES focuses on several areas including: Planning and Preparation, Classroom Environment, Instruction, Professional Responsibilities, and Student Growth.

- **Preschool Funding Formula**

Update 157.3175 and Repeal KRS 157.226 to adjust the funding formula for preschool.

The current formula is based on the December 1 count of the previous year (December 1, 2009) for each preschool funding category: at-risk, speech, developmental delay, and severe. Additional funds from a supplemental 3s count (three-year-olds with disabilities) are included in each district's allocation. Districts whose enrollments decreased more than five percent from the last two December 1 counts receive a negative funding adjustment and districts whose enrollment increased by more than five percent receive a growth adjustment. By removing the five percent negative and positive (growth) adjustments, funding is stabilized for the districts and they can plan decisions on more current data.

- **Career and Technical Education (CTE)**

Amend various KRS Chapters 12, 151B, 156, 157, 158, 161, 164, 165.

Through Executive Order 2012-737, the Governor has united the state's two career and technical education systems under KDE. The goal in merging the state-administered system with the locally-operated system is a more efficient delivery of programs that are more accessible, academically rigorous and better aligned with the requirements of postsecondary institutions and employers. Seventy-five percent of Kentucky high school students, more than 150,000 pupils, were enrolled in career and technical education programs last year in 323 middle and high schools, area technology centers and career and technical centers across the state.

- **Compulsory School Attendance**

Amend KRS 159.010 to raise the compulsory school age for attendance from 16 to 18.

Under the current law, KRS 159.010, students in Kentucky are eligible to leave school, before graduating, at the age of 16. This proposed change will raise the compulsory school age to 18. This statutory change will be supported by many initiatives being undertaken by the department and local districts through the dropout prevention grants as well as through other means. An estimated 6,500 Kentucky students drop out of grades 9-12 each year. Many programs exist to support retaining these students including access to dual credit, middle college, career learning (CTE), credit recovery and alternative education programs.

For more information on the board's legislative agenda, contact Tracy Goff Herman at (502) 564-4474 or via e-mail at tracy.herman@education.ky.gov.

BOARD APPROVES RESOLUTIONS SUPPORTING THE 2012 TEN PERCENT CHALLENGE AND THE KENTUCKY WORK READY COMMUNITIES INITIATIVE

As part of its December 5 meeting, the Kentucky Board of Education approved the following resolutions:

- Resolution Supporting the Ten Percent Challenge—
Win the War Against Violence, a Kentucky-based non-profit organization, contacted Kentucky Department of Education staff and shared information on its violence reduction and education awareness campaign known as *The 2012 Ten Percent Challenge*. The program encourages all Kentuckians to help reduce the instances of violence in the Commonwealth by ten percent in 2012.

Doug Wain, Executive Director of Win the War Against Violence, shared that the campaign's special focus is on Kentucky's youth.

Many Kentucky mayors as well as the Governor and the Kentucky Center for School Safety have issued proclamations in support of this program.

The resolution approved by the board can be found at the following link under item XII.: <http://portal.ksba.org/public/Meeting.aspx?PublicAgencyID=4388&PublicMeetingID=8154&AgencyTypeID=1>.

- Resolution Endorsing the Work Ready Communities Initiative—
The Kentucky Work Ready Communities Steering Committee is seeking endorsement from various state and national organizations for a new program which certifies a county based on the quality of its workforce. This program seeks to transform the talent pool in Kentucky and more.

Every major survey of business and industry as well as every major economic development publication indicate that the presence of a skilled workforce is one of, if not the top deciding factor when a company decides to expand, relocate or open a new facility. The availability of talent ranks ahead of tax incentives, utility costs, infrastructure, and other traditional factors in almost every credible study.

Understanding this, the Kentucky Workforce Investment Board created a framework to give counties in the commonwealth the opportunity to use a common framework of criteria to prove and improve their workforce assets.

The resolution approved by the board can be found at the following link under item XIII.: <http://portal.ksba.org/public/Meeting.aspx?PublicAgencyID=4388&PublicMeetingID=8154&AgencyTypeID=1>.

For more information on these resolutions, contact Mary Ann Miller at (502) 564-3141 or via e-mail at maryann.miller@education.ky.gov.

DISCUSSION OF ACCOUNTABILITY RESULTS AND SUMMARY OF DATA ISSUES OCCURS

Associate Commissioner Ken Draut provided the board with an overview of the accountability results from the Unbridled Learning system as well as a summary of data issues associated with the test score release. Draut first highlighted the key elements of the system as follows:

- The model is designed to elicit continuous improvement for all schools and provide incentives to improve the achievement of all students.
- The model looks at a broad set of data, rather than one specific area. Currently, achievement (proficiency), gap, growth, college/career readiness and graduation are in the model, but eventually program reviews and teacher/leader effectiveness will be added.
- The main goal is for a school or district to move its Overall Score to the proficient or above level.
- The Annual Measurable Objective (AMO), a secondary goal, was required in the U.S. Department of Education waiver process and provides an improvement target for the Unbridled Learning overall scores. A school/district that makes its AMO is labeled as Progressing.
- In Year 1, a normative model launched the new accountability system, with the performance of schools by level and districts rank-ordered. The comparison of schools and districts defined Proficient as an Overall Score associated with the 70th percentile.
- In Year 2 and forward, the Overall Score needed for Proficient is locked. Achieving the specific, locked Overall Score, not the 70th percentile rank, determines whether a school or district is Proficient. The Year 2 Proficient goal for elementary schools is 62.5, for middle schools is 58.7, for high schools is 50.0 and for districts is 58.4.
- Rewards and consequences are built into the model. The U.S. Department of Education waiver process requires Rewards (i.e., Distinction/Highest Performing) and Assistance (Priority/Focus) categories.
- A set of aspirational Delivery Targets provide sub-goals for the components of Achievement, Gap, College/Career and Graduation. These Delivery Targets help schools stay on track to improve their Overall Scores, to meet their AMOs and to help develop improvement plans.

Next, Associate Commissioner Draut addressed whether the system worked as was anticipated. He noted that the numbers indicate there are a wide variety of school performances across the spectrum of all categories. Additionally, he said the model appears to provide the designed incentives to work with every student, achievement rewards increasing proficiency and has incentives for moving students to the distinguished performance level, growth provides incentives to work with every student from low to high achieving in order to earn points, gap provides incentives to focus on the low-achieving gap groups and college/career provides incentives to get every single student ready for life beyond high school. Moreover, Draut stated that graduation rate provides incentives to keep students in school until graduation.

Finally, Draut pointed out the following data issues that are associated with the test score release:

- Concern by some that the annual measureable objective (AMO) for the “Needs Improvement” category calls for a one point growth in the Overall Scores - It was recommended by the National Technical Panel on Assessment and Accountability to make no changes to the AMO until a data history is established. The board agreed and will review this issue again in the fall of 2013 when two years of data can inform whether to make any adjustments.
- An issue with the gap group that deals mainly with mathematics - In the mathematics area, the cut score for the 3rd Standard Deviation actually fell below the score of zero. The computer computation did not list any gap groups in the mathematics area. This can be solved by calculating the 3rd standard deviation gap groups using the score of zero for the lowest possible score.
- The fact that some schools labeled as Schools of Distinction may have achievement gap issues - In order to be a School of Distinction, the school must be in the top 95% in their Overall Score, must meet its AMO, must meet its graduation goal, and high schools must have a graduation rate higher than 60%. These extra rules were built in to prevent Schools of Distinction from having issues in other parts of the accountability model.

The model in particular uses the Focus School as a way to prevent a school from being labeled as a School of Distinction. It was believed the other parts of the model ought to guide labeling a school. There could be other rules applied, but they would be harder to determine. An example below was brought to the department’s attention.

Brandeis Elementary in Jefferson County is labeled as a School of Distinction. This school does not have Focus groups. Their data on White students and African American students is presented below:

Subject	School White	School African American	State White	State African American
Reading	86.2	60.4	51.3	27.5
Mathematics	87.4	36.9	43.1	22.4

The table above shows a gap between the African American students and White students in Brandeis Elementary; however, it also shows the African American students in Brandeis are significantly outperforming African American students in the state, outperform White students in the state in reading, and are close to the White students in the state in mathematics. This table points out the reason the accountability model moved to comparing Gap to the goal of 100 rather than reference groups.

For more information on this topic, contact Ken Draut at (502) 564-2256 or via e-mail at ken.draut@education.ky.gov.

APPROVAL OF TWO REGULATIONS OCCURS

The Kentucky Board of Education gave its approval (second reading) to two regulations in December as follows:

- **702 KAR 4:160, Capital Construction Process** – This regulation prescribes procedures and criteria for the construction of public school buildings. Kentucky Department of Education (KDE) staff engaged school districts and school construction stakeholders to streamline the school construction process by aligning KDE’s business processes with the current construction environment and by revamping KDE’s role of guidance and oversight. The School Facilities Work Group Report, issued on August 5, 2011, documented recommendations for improving the school construction process. The KDE construction forms were revised.

In addition to improving the overall construction process, KDE included a section in the revised regulation for the Guaranteed Energy Savings Contract delivery method. Local board oversight activities were identified along with required submissions for KDE to provide oversight.

- **704 KAR 3:090, Response to Intervention, Kindergarten through Grade 3** – This regulation was promulgated in response to HB 69 from the 2012 legislative session that requires: “... the Kentucky Board of Education to promulgate administrative regulations for district-wide use of a response-to-intervention system for students in kindergarten through grade three (3) that includes a tiered continuum of interventions with varying levels of intensity and duration and which connects general, compensatory, and special education programs to provide interventions implemented with fidelity to scientifically- based research and matched to individual student strengths and needs.”

The Kentucky Department of Education is also required to collect data on the number of school districts implementing response-to-intervention systems and scientifically-based research practices in reading, writing, mathematics and behavior; information on the types of scientifically-based research interventions implemented; and data on the effectiveness of interventions in improving student performance in Kentucky schools. The data to meet the mandates of this legislation will be collected through the kindergarten through grade three (3) program review.

BOARD ACTS TO PUT ONE DISTRICT INTO STATE MANAGEMENT AND ONE INTO STATE ASSISTANCE

For the first time in many years, the Kentucky Board of Education voted to designate a district as state-managed and another as state-assisted, per KRS 158.785. Breathitt County School District was approved to be state-managed and Monticello Independent became a state-assisted district. This action followed a management audit in these districts that established an existing pattern of a significant lack of effectiveness and efficiency.

In the case of Breathitt County, all administrative, operational, financial, personnel, and instructional aspects of management formerly overseen by the Breathitt County Board of

Education and superintendent will now be directed by Commissioner Holliday or his designee. The commissioner will be appointing a state manager to act on his behalf in the district.

Breathitt County will develop and implement an improvement plan to be approved by the Kentucky Board of Education identifying deficiencies as well as corrective actions. The commissioner will report on the progress of the plan at each Kentucky Board of Education (KBE) meeting.

State management may not continue for more than three years unless a follow-up management audit indicates a need. However, the KBE can end it if the board determines the pattern of ineffectiveness and inefficiencies has ended and the deficiencies have been addressed.

For Monticello Independent, a management audit indicated the existence of a pattern of inefficiency and ineffectiveness, primarily in governance, finance, and personnel operations. Kentucky Department of Education staff will provide management assistance to the district to develop and implement a plan to correct the identified deficiencies.

If Commissioner Holiday determines the plan is being inadequately developed or implemented, he will recommend to the KBE that Monticello move from state-assisted to the state-managed designation. The district will be under state assistance until at least February 2013, at which time the district's progress will be assessed.

For more information on this topic, contact Hiren Desai at (502) 564-1976 or via e-mail at hiren.desai@education.ky.gov.

DR. ELAINE FARRIS CHOSEN AS DR. JOHNNIE GRISSOM AWARD WINNER

The board announced on December 5th that Dr. Elaine Farris, Clark County Superintendent, was this year's Dr. Johnnie Grissom Award (Strive for Achievement Through Instructional Equity). This was the fourth time the awarded has been presented.

Clark County administrators Faith Thompson, Donald Stump and Brenda Considine nominated Farris. In their nomination application, the three noted, "Not only does she represent the epitome of dedication and passion for achieving instructional equity and opportunity in education, but also, perhaps most importantly, her leadership has achieved significant results."

The award is presented annually to an individual or group with outstanding accomplishments to help all students achieve at high levels through instructional equity and to close the achievement gap. It was established to honor the work and dedication of the late, long-time Kentucky Department of Education employee, Johnnie Grissom, who served as associate commissioner from 1993-2010.

OTHER ITEMS APPROVED AT THE DECEMBER MEETING WERE:

- Minutes from the October 8-9, 2012 meeting
- Statement of Consideration and revised regulation for 704 KAR 19:002, Alternative education programs

- All submitted new district facility plans (Campbell and Magoffin Counties and Russell Independent)
- All submitted local district working budgets
- All submitted local district tax rates
- 702 KAR 4:160, Capital Construction Process
- Request from Leslie, Owsley, Knox and Wolfe County School Districts for waiver of Section 4 of 702 KAR 7:125, Pupil Attendance
- 704 KAR 3:090, Response to Intervention, Kindergarten through Grade 3
- Appointment of Joseph Kelly Award Selection Committee consisting of Roger Marcum as chair and Mary Gwen Wheeler and Nawanna Privett as members

OTHER ITEMS REVIEWED WITH NO ACTION TAKEN WERE:

- *Homegrown Kentucky* program
- Strategic Plan Update
- Hearing Officer's Report
- Report of the Task Force on Middle School Interscholastic Athletics
- Budget update on the addition of Career and Technical Education to the Kentucky Department of Education
- Professional Learning Task Force Recommendations
- KDE Employment Report
- 703 KAR 5:250, Intervention options in priority schools and districts; 703 KAR 5:121, Repeal of 703 KAR 5:120, Assistance to schools, guidelines for scholastic audit; and 703 KAR 5:181, Repeal of 703 KAR 5:180, Intervention system for persistently low-achieving schools

KBE MEETING DATES

KBE MEETING DATES 2013

February 6, 2013	Regular meeting	Frankfort
April 10, 2013	Regular meeting	Frankfort
June 5, 2013	Regular meeting	Frankfort
August 7-8, 2013	KBE Retreat meeting & Regular meeting	Frankfort
October 8, 2013	Regular meeting	Frankfort
December 4, 2013	Regular meeting	Frankfort

For questions on meeting dates, contact Mary Ann Miller at 502-564-3141 or via e-mail at MaryAnn.Miller@education.ky.gov.

The actions described above were taken in open session of the Kentucky Board of Education at the December 5, 2012, regular meeting conducted in the State Board Room, Capital Plaza Tower, 1st Floor, Frankfort, Kentucky. This information is provided in summary form, and an official record of the meeting is available on tape in the permanent records of the Kentucky Board of Education, First Floor, Capital Plaza Tower, Frankfort, Kentucky 40601. These records are open for inspection Monday through Friday, 8:00 a.m. - 4:30 p.m.

For additional information about the Kentucky Board of Education meetings, agendas, minutes or special accommodations needed for attending meetings, contact Mary Ann Miller,

Policy Advisor, at (502) 564-3141.

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